



U.S. Department of Justice
United States Attorney
District of New Mexico

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October 21, 2022

Sheriff Jerry Hogrefe
Taos County Sheriff's Office
599 Lovato Place
Taos, NM 87571

Dear Sheriff Hogrefe:

The attorneys representing Subhanah Wahhaj recently filed a motion in federal court titled, “Motion for Court-Ordered Deposition of Witness Due to Obstruction of Witness Communication by the United States” in the case of United States v. Jany Leveille, et al, 18-CR-2945 WJ. In that motion, they state that you told them in October 2019, “I’m not going to talk to you” because of “direct orders from ‘them.’” They further state that you said you would speak with their investigator, Mr. Gary Ainsworth, only if you were given permission. Consequently, Ms. Wahhaj’s attorneys would like to depose you.

You may recall that our office contacted you in October 2019 in response to a request from Ms. Wahhaj’s attorney, Ryan Villa. Our office advised that witnesses are under no obligation to speak with defense counsel and investigators unless compelled to do so. You informed our office that you did not want to speak with the defense attorney and investigator about the case without being compelled to do so.

To the extent you may continue to believe you need permission from the U.S. Attorney’s Office to speak with defense counsel and investigators, please be advised that you need no such permission. Witnesses in a criminal case do not belong to either party, and you may speak with either or both parties if you want to do so. The choice of whether or not to be interviewed by either party is entirely yours.

I hope this clears up any misunderstanding you may have had, and please contact Special Agent Juliette Garcia at (505) 428-2403 if you have any questions.

Sincerely,

ALEXANDER M.M. UBALLEZ
United States Attorney


KIMBERLY A. BRAWLEY and
TAVO HALL
Assistant U.S. Attorneys

cc: FBI Special Agent Juliette Garcia